

District Attorney

Brad Fenocchio, District Attorney

MISSION STATEMENT

To pursue justice, protect victims' rights and public safety on behalf of the people of the state of California and the County of Placer. Through vigorous, equal, and efficient enforcement of the criminal law, prosecutors working on behalf of the Office of the District Attorney represent the people of the state of California in the criminal justice system and work with law enforcement agencies to assure the rights of the innocent, to prosecute and hold accountable the guilty, and to protect victims' and witnesses' rights.

DISTRICT ATTORNEY FUND 110 / APPROPRIATION 21710

	Actual 2001-02	Actual 2002-03	Requested 2003-04	Recommended 2003-04	Change %	Adopted 2003-04
Expenditures						
Salaries and Employee Benefits	\$ 7,351,546	\$ 8,000,261	\$ 9,360,622	\$ 8,829,803	10%	\$ 9,100,900
Services and Supplies	1,396,940	1,261,322	1,572,809	1,494,169	18%	1,494,169
Other Charges	59,637	73,100	-	-	-100%	-
Intra Fund Charges	703,370	868,315	1,020,357	1,020,357	18%	1,020,357
Gross Budget:	9,511,493	10,202,998	11,953,788	11,344,329	11%	11,615,426
Intra Fund Credits	(3,677,233)	(4,254,395)	(6,297,906)	(6,297,906)	48%	(6,897,906)
Appropriations for Contingencies	-	-	-	-	0%	-
Net Budget:	\$ 5,834,260	\$ 5,948,603	\$ 5,655,882	\$ 5,046,423	-15%	\$ 4,717,520
Revenue						
Fines, Forfeits and Penalties	\$ 110,403	\$ 75,786	\$ 117,600	\$ 117,600	55%	\$ 117,600
Revenue from Use of Money and Property	14,264	-	-	-	0%	-
Intergovernmental Revenue	4,878,378	4,523,120	4,739,790	4,680,459	3%	4,573,458
Charges for Services	47,877	59,880	48,364	48,364	-19%	48,364
Miscellaneous Revenue	47,731	-	-	-	0%	-
Total Revenue:	\$ 5,098,653	\$ 4,658,786	\$ 4,905,754	\$ 4,846,423	4%	\$ 4,739,422
Net County Cost:	\$ 735,607	\$ 1,289,817	\$ 750,128	\$ 200,000	-84%	\$ (21,902)
Allocated Positions	107	107	107	107	0%	107

CORE FUNCTION

District Attorney Services

Prosecutes serious and violent crime throughout the County and assists with criminal investigations conducted by law enforcement agencies, makes reasoned and ethical decisions in initiating prosecutions, provides aid and assistance to those who have been victimized by crime and directs resources to prosecute criminal misconduct.

FY 2002-03 Major Accomplishments

- Prosecuted approximately 7,000 cases.
- Acquired new and improved facilities and high-technology equipment for the Multidisciplinary Interview Center (MDIC) to create a more secure, child-friendly environment for victims of child sexual assault.
- Expanded the outreach efforts of the Family Protection Unit by providing information to the public and law enforcement on various aspects of elder abuse.
- Increased the number of prosecutors assigned to Three-Strikes cases.

Public Protection Services

District Attorney

Brad Fenocchio, District Attorney

- Continued participation with the courts and other agencies on adult and juvenile drug court to carry out the will of the voters to expand treatment alternatives in lieu of incarceration for those charged with non-violent drug possession.
- Continued the successful handling of child abuse cases through vertical prosecution.
- Increased recovery for businesses and merchants through the Bad Check Program with no cost to merchants, business or taxpayers.

FY 2003-04 Planned Accomplishments

- Pursue an electronic linkage with the local courts to facilitate filing of criminal cases and associated filings such as informations, motions and responses while maintaining all appropriate confidentialities. Engage in discussions with the goal of electronically linking with local and regional law enforcement agencies in order to facilitate receipt of crime reports leading to the possible filing of criminal cases.
- Continue the planning associated with the south Placer County courtroom structure.
- Maintain adequate staffing in difficult budget circumstances to address the demands of criminal case prosecution, attend court appearances and serve the needs of the crime victims.

Department Comments

I am proud of our dedicated staff of attorneys, investigators, administrators and clerical personnel, as well as those who assist victims and witnesses. The job they do day-in and day-out is vital to the protection of public safety.

We feel fortunate to work in an environment where public agencies cooperate with each other in order to better serve and protect the citizens of Placer County. We are, as well, fortunate that the County governmental structure recognizes the needs and supports the efforts of those working in the public safety realm.

The future of Placer County includes tremendous growth. There will come increased pressures to provide a continued high level of public safety services. Those services have helped to make people feel that Placer County is a safe place to locate, live and raise families. Our continuing challenge will be to find methods to provide a high level of service to an expanding population, while ever mindful of the needs and financial impact upon the taxpayer.

County Executive Comments And Recommendations

The recommended gross expenditures have increased by almost 7% over FY 2002-03, with substantive increases occurring in costs for personnel, services and supplies, and charges from other departments. Public safety revenues (including public safety sales taxes and intergovernmental grants and revenues) are not adequate to fund the department's requested budget. Accordingly, to help pay for these cost increases and help mitigate potential service level impacts, the General Fund contribution to this budget was increased from the FY 2002-03 level by over \$2.0 million, to a total of \$6,240,547.

The department's requested budget does not include funding for two positions (a victim witness advocate, which is dependent upon state funding, and an Investigator, which is dependent upon Child Support Services reimbursements). Although the department's request for funding for software and equipment to facilitate electronic transmission of documents between the department and the Courts, as well as imaging software to convert hard copy records to digital files, is recommended, not included in the proposed budget because of inadequate public safety revenues is a request for an additional augmentation of almost \$610,000 for personnel, services and supplies costs. Certain revenues have declined, and state social services realignment revenue previously received by this budget was correctly redirected to the Health and Human Services Department (\$91,500). Not reflected in the proposed budget is a recent state decision to redirect an Elder Abuse Vertical Prosecution Grant (\$130,000). Nevertheless, the County Executive Office recommends, if public safety funding does become available, that additional funding for personnel, services and supplies are considered prior to adoption of the final budget.

Public Protection Services

District Attorney

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The District Attorney is continuing to assess how best to allocate available resources and mitigate adverse impacts related to the state budget. Given the funding constraints, it is important that the public protection system collaboratively seek systemwide economies and efficiencies, and review systemwide priorities, strategies and programs to ensure that available resources are directed to the most critical priorities of the District Attorney, Probation Department and Sheriff. Additional budget adjustments may be necessary to ensure a balance between available revenues and planned expenditures if the carryover public safety fund balance and revenues, including public safety sales taxes and other intergovernmental revenues from the state, are not fully realized.

Department requested funding considerations for Final Budget:

- Restore funding for Salaries and Benefits (\$530,819)
- Restore funding for Services and Supplies (\$78,640)

Final Budget Changes from the Proposed Budget

The total General Fund contribution to the Public Safety Fund was increased by over \$3.2 million, for a total of \$38,178,375, to help preserve current service levels in light of reduced state revenues and unrealized carryover fund balance. Despite the General Fund increase, the imbalance between expenditures and revenues continues to be a primary concern. The County Executive Office and the Public Safety Fund departments will work together to find ways to contain costs and enhance revenues to help avoid adverse impacts to service levels in this department and other Placer County programs.

The General Fund Contribution to the District Attorney increased by \$600,000 to a total of \$6,840,547. In addition, Public Safety Sales Tax revenue increased by \$105,000 to reflect updated projections. Salary savings decreased. Revenues reflect reductions in several vertical prosecution grants (Child Abuse, Statutory Rape) and COPS Supplemental Law Enforcement funds, along with restoration of the Spousal Abuse grant. The loss of the Elder Abuse Vertical Prosecution grant is now reflected in the budget.

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CORE FUNCTION: DISTRICT ATTORNEY

General Criminal Case Determinations Program

Program Purpose: To review and file charges in criminal cases and to represent the people in the state of California and County of Placer in court in order to hold the guilty accountable and protect public safety.

Total Expenditures: \$9,298,989

Total Staffing: 81.0

- **Key Intended Outcome:** To effectively represent the people in the state and County of Placer in court.

General Criminal Case Determinations Indicators:	Projected 2002-03	Actual 2002-03	Target 2003-04
# of felony/misdemeanor and juvenile and drug court appearances**	60,983	N/A	N/A
# of felony/misdemeanor and juvenile cases filed (excludes citations)**	6,999	N/A	N/A
% of felony/misdemeanor and juvenile conviction rate*	91%	N/A	N/A
# of family protection cases referred*	1,354	N/A	N/A
# of Three Strikes cases filed*	138	N/A	N/A
# of sexual assault cases filed*	81	N/A	N/A
# of driving under the influence (DUI) cases filed*	1,681	N/A	N/A
*Note: It is difficult to determine conviction rates in these matters on a fiscal year basis. Many cases cannot be adjudicated within the fiscal year in which they were filed.			
**Note: Includes cases ultimately dismissed for insufficient evidence, or in the interest of justice, or for other legal reasons.			

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Investigations Program

Program Purpose: To assist attorneys by conducting supplemental and pre-trial investigations of criminal and civil offenses, and to locate and return parentally abducted children.

Total Expenditures: \$1,604,644

Total Staffing: 14.0

- **Key Intended Outcome:** Attorneys will continue to receive the information and support necessary to present clear and concise cases and children are returned to appropriate locations.

Investigations Indicators:	Projected 2002-03	Actual 2002-03	Target 2003-04
# of cases referred	2,599	N/A	N/A
# of parentally abducted children	26	N/A	N/A
% of children recovered	92%	N/A	N/A

Victim Services Program

Program Purpose: To provide advocacy and assistance to witnesses and victims of crime and witnesses by obtaining restraining orders and assisting with restitution through the State Board of Control.

Total Expenditures: \$938,349

Total Staffing: 12.0

- **Key Intended Outcome:** Victims will continue to be aided during a time of crisis and assisted in their recovery.

Victim Services Indicators:	Projected 2002-03	Actual 2002-03	Target 2003-04
# of new victims assisted	1,804	N/A	N/A
# of restitution claims submitted on behalf of the victims	740	N/A	N/A

Bad Check Program

Program Purpose: To collect full payment for bad checks written to local businesses and merchants at no cost to the victims in order to assist merchants in the recovery of lost business proceeds.

Total Expenditures: ***

Total Staffing: ***

***Note: Contracted to Computer Support Services for collection.
Occasionally requires General Fund expenditures for prosecution.

- **Key Intended Outcome:** Merchants' losses through bad checks will be reduced.

Bad Check Indicators:	Projected 2002-03	Actual 2002-03	Target 2003-04
\$ recovered thus far	1,211,158	N/A	N/A
% of total checks recovered	75%	N/A	N/A

Public Protection Services

**DISTRICT ATTORNEY
APPROPRIATION SUMMARY
Fiscal Year 2003-04**

ADMINISTERED BY: DISTRICT ATTORNEY

Appropriation	FY 2002-03		FY 2003-04	
	Actual	Position Allocations	BOS Approved Budget	Position Allocations
OTHER OPERATING FUND District Attorney - Fund 110	\$ 5,948,603	107	\$ 4,717,520	107
TOTAL ALL FUNDS	\$ 5,948,603	107	\$ 4,717,520	107

District Attorney

Public Safety Operations Fund

Fund: 110

Subfund: 0

Appropriation: 21710

Budget Category (1)	Actual 2001-02 (2)	Actual 2002-03 (3)	Dept Req 2003-04 (4)	CEO Rec 2003-04 (5)	BOS Adopted 2003-04 (6)
Salaries & Benefits					
1001 Employee Paid Sick Leave	3,070	823	20,568	20,568	20,568
1002 Salaries and Wages	5,663,574	6,137,475	6,681,670	6,681,670	6,681,670
1003 Extra Help	65,940	65,211	60,583	60,583	60,583
1004 Accr Compensated Leave	50,170				
1005 Overtime & Call Back	5,065	2,528	4,000	4,000	4,000
1006 Sick Leave Payoff	38,591	19,690			
1007 Comp for Absence-Illness	50,911				
1011 Salary Savings				(530,819)	(259,722)
1300 P.E.R.S.	434,698	526,142	807,814	807,814	807,814
1301 F.I.C.A.	414,522	440,854	516,088	516,088	516,088
1310 Employee Group Ins	526,715	647,503	1,004,923	1,004,923	1,004,923
1315 Workers Comp Insurance	98,160	160,035	264,976	264,976	264,976
1320 Retired Employee Grp Ins	130				
Total Salaries & Benefits	7,351,546	8,000,261	9,360,622	8,829,803	9,100,900
Services & Supplies					
2004 Service & Supply Savings				(78,640)	(78,640)
2050 Communications - Radio	12,523	4,231			
2051 Communications - Telephone	157,609	142,683	149,860	149,860	149,860
2140 Gen Liability Ins	144,822	135,621	237,427	237,427	237,427
2254 Witness & Criminal Indictment	17,760	5,995	18,000	18,000	18,000
2257 Witness Fees	45,317	10,488	40,000	40,000	40,000
2290 Maintenance - Equipment	16,704	12,730	15,000	15,000	15,000
2405 Materials - Bldgs & Impr		34,812	12,000	12,000	12,000
2439 Membership/Dues	19,388	22,369	20,215	20,215	20,215
2481 PC Acquisition			170,665	170,665	170,665
2511 Printing	44,207	48,374	50,000	50,000	50,000
2522 Other Supplies	67,171	45,689	7,500	7,500	7,500
2523 Office Supplies & Exp	69,587	44,812	40,140	40,140	40,140
2524 Postage	13,844	13,603	15,500	15,500	15,500
2555 Prof/Spec Svcs - Purchased	412,365	425,359	340,442	340,442	340,442
2556 Prof/Spec Svcs - County	734				
2709 Rents & Leases - Computer SW	14,435	34,472	36,434	36,434	36,434
2711 Rents & Leases - Auto	58,912	68,507	97,000	97,000	97,000
2727 Rents & Leases - Bldgs & Impr	56,488	57,954	61,112	61,112	61,112
2770 Fuels & Lubricants	9,787	12,312	11,800	11,800	11,800
2809 Rents and Leases-PC	85,901	52,867			
2838 Special Dept Expense-1099 Repor		4,139			
2840 Special Dept Expense	70,374	8,295	152,714	152,714	152,714
2850 Law Enforcement Special Expense	13,951	15,985	25,000	25,000	25,000
2860 Library Materials	19,692	20,771	12,000	12,000	12,000
2931 Travel & Transportation	42,095	38,130	50,000	50,000	50,000
2941 County Vehicle Mileage	3,274	1,124	10,000	10,000	10,000
Total Services & Supplies	1,396,940	1,261,322	1,572,809	1,494,169	1,494,169
Other Charges					
3020 St - Tahoe Women's Services	12,504	22,496			
3066 Victim Compensation Services	46,920	50,604			
3851 Interest	213				
Total Other Charges	59,637	73,100			
Charges From Departments					
5051 I/T - Communications			7,115	7,115	7,115
5291 I/T Maintenance - Computer Equipm			2,000	2,000	2,000
5310 I/T Employee Group Insurance	99,422	139,044	197,093	197,093	197,093
5405 I/T Maintenance - Bldgs & Improvem	86,233	70,850	98,625	98,625	98,625
5456 I/T Miscellaneous Expense	7,084	3,309			

District Attorney

Public Safety Operations Fund

Fund: 110

Subfund: 0

Appropriation: 21710

Budget Category (1)	Actual 2001-02 (2)	Actual 2002-03 (3)	Dept Req 2003-04 (4)	CEO Rec 2003-04 (5)	BOS Adopted 2003-04 (6)
5523 I/T Office Supplies & Expenses		54			
5552 I/T - MIS Services	404,857	465,864	544,114	544,114	544,114
5553 I/T - Revenue Services Charges	1,153	1,032	1,010	1,010	1,010
5555 I/T Prof/Special Services - Purchase	3,308	8,594	14,000	14,000	14,000
5556 I/T - Professional Services	70,484	100,803	119,000	119,000	119,000
5840 I/T Special Dept Expense	150	100			
5880 I/T-Public Safety Svcs		10,352			
5965 I/T Utilities	30,679	68,313	37,400	37,400	37,400
Total Charges From Departments	703,370	868,315	1,020,357	1,020,357	1,020,357
Gross Budget	9,511,493	10,202,998	11,953,788	11,344,329	11,615,426
Less: Charges to Departments					
5001 Intrafund Transfers	(6,250)	(3,100)			
5002 I/T - County General Fund	(3,644,215)	(4,223,245)	(6,240,547)	(6,240,547)	(6,840,547)
5011 I/T - Public Safety Fund	(26,768)	(28,050)	(57,359)	(57,359)	(57,359)
Total Charges to Departments	(3,677,233)	(4,254,395)	(6,297,906)	(6,297,906)	(6,897,906)
Net Budget	5,834,260	5,948,603	5,655,882	5,046,423	4,717,520
Less: Revenues					
6851 Vehicle Code Fines-Alcohol	(66,484)	(68,461)	(60,100)	(60,100)	(60,100)
6860 Forfeitures & Penalties	(1,931)	(1,773)	(2,500)	(2,500)	(2,500)
6862 Consumer Fraud Fines	(41,988)	(5,552)	(55,000)	(55,000)	(55,000)
6950 Interest	(14,264)				
7133 CS State Admin	(13,956)				
7134 Tobacco Tax (Prop 10)		(20,485)	(59,561)	(59,561)	(59,561)
7209 Elder Abuse Vert Pros Prog	(135,172)	(83,041)	(130,000)	(130,000)	
7210 Elder Abuse	(93,237)	(116,793)	(110,000)	(110,000)	(110,000)
7211 State Aid Auto Insurance Fraud	(30,239)		(61,905)	(61,905)	(61,905)
7232 State Aid - Other	(545,872)	(33,261)			(33,261)
7234 State Aid - Mandated Costs	(113,108)		(100,000)	(100,000)	(100,000)
7235 State - Tahoe Women's Service	(25,008)	(22,496)			
7236 CS Federal Admin	(16,039)				
7292 Aid from Other Governmental Ag	(53,693)	(58,462)	(73,095)	(73,095)	(73,095)
7296 Aid from Children & Families 1st	(93,602)	(48,457)			
7309 State Criminal Restitution Prog	(9,974)	(28,496)	(49,184)	(29,152)	(29,152)
7336 State - Victim/Witness Program	(154,455)	(146,000)	(188,776)	(188,776)	(188,776)
7337 State BOC Burial Grant	(51,340)	(48,246)			
7338 State Aid - Child Abuse Vertical P	(184,936)	(150,000)	(150,000)	(150,000)	(75,000)
7339 State - DA - Bd of Control	(176,670)	(316,010)	(208,937)	(261,138)	(261,138)
7402 State Aid AB90 Realign	(115,988)	(130,720)	(91,500)		
7424 State Aid - Public Safety Service	(2,806,089)	(3,091,127)	(3,276,717)	(3,276,717)	(3,381,717)
7426 State Aid Public Asst Rlgned Grow		(1,273)			
7457 State Aid - Workers Comp Insur	(11,584)		(44,844)	(44,844)	(44,844)
7467 State Aid Supplemental Law Enf	(88,586)	(90,566)	(85,271)	(85,271)	(79,759)
7469 State Aid - Statutory Rape	(158,830)	(137,687)	(100,000)	(100,000)	(65,250)
7490 Fed Aid-Juv Acct Inc Block Gran			(10,000)	(10,000)	(10,000)
8122 Legal Services	(27,987)	(43,733)	(28,364)	(28,364)	(28,364)
8212 Other General Reimbursement	(80)				
8218 Forms and Photocopies	(19,810)	(16,147)	(20,000)	(20,000)	(20,000)
8761 Insurance Refunds	(560)				
8762 State Compensation Insurance R	(41,129)				
8764 Miscellaneous Revenues	(6,042)				
Total Revenues	(5,098,653)	(4,658,786)	(4,905,754)	(4,846,423)	(4,739,422)
Net County Cost	735,607	1,289,817	750,128	200,000	(21,902)